

MESSAGE NO: 6309302 MESSAGE DATE: 11/04/2016

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 81 FR 72567 FR CITE DATE: 10/20/2016

REFERENCE 2353309
MESSAGE #
(s):

CASE #(s): A-533-975, A-570-836

EFFECTIVE DATE: 10/20/2016 COURT CASE #:

PERIOD OF REVIEW: 03/01/2014 TO 02/28/2015

PERIOD COVERED: 03/01/2014 TO 02/28/2015

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liq instructions for glycine from the PRC exported by Kumar Industries for the period 03/01/2014 thru 02/28/2015 (A-570-836 or A-533-975)

1. Kumar Industries reported to Commerce that it had no shipments of glycine from the People's Republic of China (PRC) during the period 03/01/2014 through 02/28/2015. Therefore, pursuant to the publication of the final results of review (81 FR 72567, 10/20/2016) and as a result of Commerce's clarification of its assessment regulation (10/24/2011, 76 FR 65694), for all shipments of glycine from the PRC exported by Kumar Industries, entered, or withdrawn from warehouse, for consumption during the period 03/01/2014 through 02/28/2015, which may have entered under case number A-570-836 or A-533-975, assess antidumping duties at the PRC-wide rate. The PRC-wide rate is 453.79 percent.

Note that on 12/10/2012, Commerce published in the Federal Register its final affirmative determination of circumvention of the antidumping duty order on glycine from the PRC (A-570-836) (77 FR 73426). Commerce determined that all glycine exported from India that was processed using PRC-origin inputs and produced and/or exported by AICO Laboratories India Ltd. and Salvi Chemical Industries Limited was circumventing the antidumping order. Accordingly, Commerce created case number A-533-975 to accommodate entries of merchandise classified with India as the country of origin for Customs purposes but subject to the antidumping duty order on glycine from the PRC. See, e.g., message number 2353309, dated 12/18/2012.

2. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the final results of administrative review (81 FR 72567, 10/20/2016). Unless instructed otherwise, for all other shipments of glycine from the PRC you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

3. There are no injunctions applicable to the entries covered by this instruction.

4. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the

required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

5. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVI:DC.)

7. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party